

# Brimfield Zoning Board of Appeals

## Minutes, Tuesday, Nov. 27, 2018

Business Meeting started at 7:25 PM.

In attendance were Don Damon, Kim Adams, Kevin Moore, Mike MacFadden, and Pamela Engberg for the ZBA and Casey Burlingame for the Building Office. (Mr. MacFadden was invited to participate in some of the discussions as they refer to prior discussions in which he participated.)

1. A discussion of the possibility of upgrading the GIS maps (see prior minutes for background on upgrading to include a Zoning overlay) took place with Mr. Burlingame. The concern is that the Zoning boundaries when overlaid do not coincide with the property lines. Mr. MacFadden noted that in fact the zoning lines do not line up with the property lines; for example, one is defined as "500 feet from Route 20." This would require voter approval to change, and to make them coincide now would be extremely complicated. Mr. Burlingame feels that Conservation and Zoning overlays would be appropriate and helpful for us. He stated that Matt Franz does these for Southbridge. Mr. Burlingame will do a Request for Quote from Mike Doyle, Matt Franz, and Aaron Weston (who had previously quoted \$1900). He will also like a quote on full-size color printed maps that are more definitive than what we have. It was mentioned that we have some funds allocated for Zoning Map redrawing. Following this discussion Mr. Burlingame left the meeting.

2. Review of Minutes from Meeting of October 16 - Mr. Moore moved that they be accepted as written, Mr. Damon seconded. Mr. Damon, Mr. Moore, and Ms Adams each voted yes; the motion passed 3-0.

3. Signing of Expense Forms - the bill from Southbridge News for the Crosby hearing was presented and signed by Ms. Adams, Mr. Damon, Mr. Moore.

4. Review of mail/email. There were notices of two job postings, one for Assistant Treasurer-Collector and one for Finance Committee clerk. Also, it was made known that the ZBA Annual Report is due by Jan. 31, 2019, and any warrant articles by Feb. 28, 2019. Ms. Adams asked Ms. Engberg to send her a copy of last year's annual report.

5. Forms Revision. The Board turned to the draft copy of Form BZBA-SPVR for review.

A. Mr. MacFadden asked if there was a flow chart for the Variance process in addition to the one for Special Permits. Ms. Adams will research.

B. Regarding the workflow as outlined by the SPGA Guidebook, the Town Clerk should get a copy of the Request first. This has been discussed with Bob Sullivan; the new procedure will be that the applicant brings one copy of the SPVR to the Town Clerk, where it will be dated and stamped. The applicant will then give the ZBA the other 8 copies and associated materials (these should be mailed or put in the ZBA mailbox in the Town Annex).

C. The ensuing discussion of the form required multiple iterations and three votes. First was a discussion of whether to delete Section 7, particularly the part about representative or equitable owner. It was decided to keep the section but delete "for Variance" from the section. In the procedures section (front page) it was decided to change "8 copies" to "9 copies" as one will now go to the Town Clerk and a list of the departments to whom the copies will go will be added. Section 5 was amended to delete "Zoning District" and the sentence beginning "Because of reasons...". Also the words "and zoning district" will be removed from Section 6. Mr. Moore moved that the amended form be accepted, Mr. Damon seconded, Mr. Damon, Mr. Moore, and Ms Adams each voted yes; the motion passed 3-0.

Attention returned to the front page and a discussion of the references to MGL 40 took place. It was decided to change 3.D by changing "section 10" to "and pertinent subsections." It was also noticed that the first line omitted reference to a Special Permit so the wording was changed from "when requesting a Variance" to "when requesting a Special Permit/Variance." Again Mr. Moore moved that the amended form be accepted, Mr. Damon seconded, Mr. Damon, Mr. Moore, and Ms Adams each voted yes; the motion passed 3-0. Finally, two more references to Variance without mentioning Special Permit were noticed, one on the first page of the application ("applies for a Variance" to be changed to "applies for a Special Permit/Variance") and one on the last page ("...to represent my interests before the Variance Granting Authority" with respect to this request for Variance" to be changed to "...to represent my interests before the Special Permit/Variance Granting Authority with respect to this request."). It was also decided that the form

should be placed on ZBA letterhead. Once more Mr. Moore moved that the amended form be accepted, Mr. Damon seconded, Mr. Damon, Mr. Moore, and Ms Adams each voted yes; the motion passed 3-0.

D. Mr. MacFadden then noted that a "Request for Determination" form is needed for changes to nonconforming lots. This is not a variance or a special permit request, but it does require a public hearing to determine if the changes would be detrimental to the neighborhood, which requires the posting, abutter notification, etc. He suggested we create a modified version of the existing form, which would differ in that only 3 copies of materials [Clerk: which materials are required?] would be needed (Town Clerk, ZBA, Building Dept.) and there would be no flowchart. It was decided that Ms. Engberg will draft the form and we will meet in January to review it.

6. Mr. Damon made a motion that \$250 be allocated to compensate Ms. Engberg for the extra time spent in developing the new ZBA forms and also for setting up files and procedures which now use the computer. Mr. Moore seconded; Mr. Moore, Mr. Damon, Ms Adams each voted yes; the motion was passed 3-0.

9. The next meeting will be January 23, 2019 at 7:30 PM, to examine the final BZBA-SPVR form and review the Request for Determination form.

10. The vote to adjourn was proposed by Mr. Damon, seconded by Mr. Moore; Mr. Moore, Mr. Damon, Ms Adams each voted yes; the motion was passed 3-0. The meeting was concluded at 8:35 PM.

Respectfully Submitted

Pamela Engberg  
ZBA Clerk

---

Kim Adams

---

Don Damon

---

Kevin Moore